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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 BIOPURE HEALING PRODUCTS, LLC,

10 NO. C17-470-RSL

11 Plaintiff,

12 v.

13 ORDER GRANTING PLAINTIFF'S
14 MOTION FOR PRELIMINARY
15 INJUNCTION

16 WELLNX LIFE SCIENCES, INC. and
17 PLATINUM US DISTRIBUTION, INC. d/b/a
18 WELLNX LIFE SCIENCES, USA,

19 Defendants.

20 The Court, having considered all materials submitted in support of and in response to
21 plaintiff's Motion for Preliminary Injunction, the Report and Recommendation of the
22 Honorable James P. Donohue, the relevant law, and the balance of the record, finds that
23 plaintiff BioPure Healing Products, LLC has shown that it is likely to succeed on the merits of
24 its trademark infringement and other related claims, that it will suffer irreparable harm if an
25 injunction is not granted, that the balance of equities is in favor of plaintiff and that the public
26 interest supports an injunction.

27 Accordingly, it is hereby ORDERED that plaintiff's Motion for Preliminary Injunction
28 is GRANTED, and that plaintiff is granted the following relief to take effect thirty (30) days
29 after the date of this Order:

1 Defendants, their respective principals, partners, franchisees, agents, employees,
2 licensees, affiliates, distributors, producers, attorneys and representatives and all of those in
3 privity with or acting under the direction or control of any of them, are preliminarily enjoined
4 and restrained from:

5 1. Using "BioPure" or any term or mark confusingly similar to "BioPure", in
6 connection with the advertisement, promotion, distribution, offering for sale or selling of any
7 goods or services involving or relating to tea, including without limitation the use of "BioPure"
8 in connection with the green tea ingredient of SlimQuick Pure products;

9 2. Performing any acts or using any trademarks, names, words, images or phrases
10 that are likely to cause confusion, to cause mistake, to deceive or otherwise mislead the trade or
11 public into believing that plaintiff or any authorized user of the BIOPURE Mark and defendants
12 are one and the same or are in some way connected or that plaintiff is a sponsor of defendants or
13 that the goods or services of defendants originate with plaintiff or any authorized user of the
14 BIOPURE Mark or are likely to lead the trade or public to associate defendants with plaintiff.

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16 DATED this 24th day of ~~July~~^{Aug.}, 2017.
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18 ROBERT S. LASNIK
19 United States District Judge
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